Express Mail Label No.	EV0872570	55US					
RE Sub	UED PROSEC QUEST TRANS mit an original, and	SMITTAL (Sr	nall Entity)	PA)	Docket No. 116310.0030		
THE Inly for Co	ontinuation or Divisio	nal Applications U	Inder 37 CFR 1.53	P(d))	DUPLICATE (Check box if applicable)		
First Nam	ed Inventor		Exami	ner	Group/Art Unit		
CARVER, Edward			A. Soder	quist	1743		
Address to: Assistant Commissioner for Patents Box CPA Washington, D.C. 20231							
This is a request for filing a 🗵 continuation or 🔲 divisional application under 37 CFR 1.53(d), (continued prosecution							
•	application (CPA)) of prior application number			09/039,789 filed on March 16, 1998			
and entitled: APPARATUS FOR MAKING A PLURALITY OF REAGENT MIXTURES AND ANALYZING PARTICLE DISTRIBUTIONS OF THE REAGENT MIXTURES							
1.  Enter the unentered amendment previously filed on under 37 CFR 1.116 in the prior nonprovisional application.							
2. A preliminary amendment is enclosed.							
3. This application is being filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).							
a. 🗍 DEL	ETE the following	inventor(s) nam	ed in the prior n	onprovisional appl	cation:		
b. 🔲 The	inventor(s) to be d	eleted are set fo	orth on a separa	te sheet attached l	nereto.		
4. A new power of	4. A new power of attorney or authorization of agent is enclosed.						
5. Small Entity Status:							
a. 🗆 Asm	a.   A small entity statement is enclosed.						
b.   A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.							
6. 🗵 The fee for this	application is calc	ulated as follows	s:				
CLAIMS AS FILED							
For	#Filed	#Allowed	#Extra	Rate	Fee		
Total Claims	16	- 20 =	0	x \$9.00	\$0.00		
Indep. Claims	4	- 3 =	ı	x \$42.00	\$42.00		
Multiple Dependent C	laims (check if	applicable)			\$0.00		

02 FC:2006 370.00 0P 42.00 0P

12/05/2002 ANDNDAF1 00000062 09039789

\$370.00

\$412.00

BASIC FEE

**TOTAL FILING FEE** 

## CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL (Small Entity) (Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))

7. 🗖	The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 50-1631.				
	fees required under 37 C.F.R. 1.16. fees required under 37 C.F.R. 1.17. fees required under 37 C.F.R. 1.18.				
8. 🗵	A check in the amount of \$1,512.00 is enclosed.				
9. 🗆	An Information Disclosure Statement (IDS) is enclosed:				
	a. DTO-1449				
	b.				
10. 🛮	Also enclosed:				
	Petition for Revival of an Unintentionally Abandoned Application Petition and Fee for Extension of Time under 37 CFR 1.136 Response to Office Action Statement Establishing Common Ownership Return Receipt Post Card				
11. 🔀	The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below:				
	Please address all written correspondence to the address associated with United States Patent and Trademark Office Customer Number 21832:				

## CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL (Small Entity) (Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))

## **NOTES**

## Submit an original, and a duplicate for fee processing.

**FILING QUALIFICATIONS:** The prior application must be a nonprovisional application that is either. (1) complete as defined by 37 C.F.R. 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 USC 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. 1.53(d), but must be filed under 37 C.F.R. 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. 1.53(b) must be used to file a continuation, divisional or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the Applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or application in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 C.F.R. 1.78(a).

Dated: Pecurber 4, 2002	affail ? Signature			
	Mark D. Giarratana			
	Typed or printed name			
	32,615			
	Registration Number (if applicable)			
	☐ Inventor(s)			
	Assignee of complete interest			
cc:	★ Attorney or agent of record			